

THE KENTUCKY GAZETTE.

[No. 705.]

THURSDAY, MARCH 27, 1800.

[VOL. XIII.]

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TRE T A Y O F PEACE AND FRIENDSHIP, BETWEEN THE UNITED STATES OF AMERICA, AND THE KINGDOM OF TUNIS.

JOHN ADAMS,
President of the United States of America.

To all to whom these presents shall come
GREETING:

WHEREAS a treaty of peace and friendship was definitively arranged and concluded between the United States of America, represented by William Eaton and James Leander Cathcart, esquires, commissioners for that purpose specifically appointed, and the most illustrious and most magnificent Bey and Government of Tunis, which treaty is in the following words, to wit:

(TRANSLATION.)

GOD IS INFINITE.

UNDER the auspices of the greatest, the most powerful of all the princes of the Ottoman nation, who reign upon the earth, our most glorious and most august emperor, who commands the two lands and the two seas, Selim Khan, the victorious son of the sultan Mustafa, whose realm may God proffer until the end of ages; the support of kings, the seal of justice, the emperor of emperors.

The most illustrious and most magnificent prince of Hamanda Pacha, Bey, who commands the Odgiak of Tunis, the abode of happiness, and the most honored Ibrahim Bey, and Soliman, Aga of the Janissaries, and chief of the Divan, and all the elders of the Odgiak; and the most distinguished and honored president of the congress of the United States of America, the most distinguished among those who profess the religion of the Messiah, of whom may the end be happy.

We have concluded between us the present treaty of peace and friendship; all the articles of which have been framed by the intervention of Joseph Stephen Famin, French merchant, residing at Tunis, charge d'affaires of the United States of America: which stipulations and conditions are comprised in twenty-three articles, written and expressed in such manner as to leave no doubt of their contents, and in such way as not to be contravened.

Art. 1. There shall be perpetual and constant peace between the United States of America, and the magnificent Pacha, Bey of Tunis; and also permanent friendship, which shall more and more increase.

Art. 2. If a vessel of war of the two nations shall make prize of an enemy vessel, in which may be found effects, property and subjects of the two contracting parties, the whole shall be restored: The Bey shall restore the property and subjects of the United States and the latter shall make a reciprocal restoration; it being understood on both sides, that the just right to what is claimed shall be preserved.

Art. 3. Merchandise belonging to any nation which may be at war with one of the contracting parties, and loaded on board of the vessel of the other, shall pass without molestation and without any attempt being made to capture or detain it.

Art. 4. On both sides sufficient passports shall be given to vessels, that they may be known and treated as friendly; and considering the distance between the two countries, a term of eighteen months is given, within which term respect shall be paid to the said passports, without requiring the *conge*, or document (which at Tunis is called) but after the said term, the *conge* shall be presented.

Art. 5. If the corsairs of Tunis shall meet at sea with ships of war of the United States, having under their escort merchant vessels of their nation, they shall not be searched or molested; and in such case, the commanders shall be believed upon their word; to exempt their ships from being visited, and to avoid quarantine. The American ships of war shall act in like manner towards merchant vessels escorted by the corsairs of Tunis.

Art. 6. If a Tunisian corsair shall meet with an American merchant vessel, and shall visit it with her boat, he shall not exact any thing, under pain of being se-

verely punished; and in like manner, if a vessel of war of the U. S. shall meet with a Tunisian merchant vessel, she shall observe the same rule. In case a slave shall take refuge on board an American vessel of war, the corsul shall be required to cause him to be restored: & if any of their prisoners shall escape on a Tunisian vessel they shall be restored: But if any slave shall take refuge in any American merchant vessel, and it shall be proved that the vessel has departed with the said slave then he shall be returned or his ransom shall be paid.

Art. 7. An American citizen having purchased a prize vessel from our Odgiak, may sail without passport, which we will deliver for the term of one year; by force of which our corsairs which may meet with her, shall respect her; the corsul, on his part, shall furnish her with a bill of fare, and considering the distance of the two countries, this term shall suffice to obtain a passport in form; but after the expiration of this term, if our corsairs shall meet with her without the passport of the United States, she shall be stopped and declared good prize, as well the vessel as the cargo and crew.

Art. 8. If a vessel of one of the contracting parties shall be obliged to enter into a port of the other, and may have need of provisions and other articles, they shall be granted to her without any difficulty, at the price current at that place; and if such a vessel shall have suffered, and shall have need of repairs, she shall be at liberty to unload and re-load her cargo, without being obliged to pay any duty; and the captain shall pay only the wages of those whom she shall have employed as well for the unloading of the goods as for their re-loading.

Art. 9. If by accident and by the permission of God, a vessel of one of the contracting parties shall be cast by tempest upon the coasts of the other, and shall be wrecked, or otherwise damaged, the commandant of the place shall render all possible assistance for its preservation, without allowing any person to make any opposition; and the proprietor of the effects shall pay the costs of salvage to those who may have been employed.

Art. 10. In case a vessel of one of the contracting parties shall be attacked by an enemy, under the cannon of the forts of the other party, she shall be protected & defended, as much as possible; and when she shall be set free, no enemy shall be permitted to pursue her, from the same port, or any other neighbor port, for 48 hours, after her departure.

Art. 11. When a vessel of war of the United States of America, shall come into the port of Tunis, and the corsul shall request that the castle may salute her, the number of guns shall be fired, which he shall request; and if the corsul does not wish a salute, there shall be no question about it. But in case he shall desire the salute, and the number of guns he shall have requested shall have been fired, they shall be counted, and for them the vessel shall deliver an equal number of barrels of cannon powder. The same shall be done with respect to the Tunisian corsairs when they shall go into any port of the United States.

Art. 12. When the citizens of the United States, come within the dependencies of Tunis to carry on commerce, the same respect shall be paid them as the merchants of other nations enjoy; and if they desire to establish themselves within our ports, no opposition shall be made; and they shall be free to avail themselves of such interpreters as they may judge necessary, without any obstacle thereto, in conformity to the usages of other nations; and the Tunisian subjects go to establish himself within the dependencies of the United States, he shall be treated in the same manner.

Art. 13. If a Tunisian subject shall freight an American vessel, and shall load her with merchandise, and he shall afterwards wish to unload it, or ship the same on board another vessel we will not permit him, until the matter shall be decided by merchants, who shall make an award thereon which shall be conclusive. No captain shall be detained against his will in port, except in the case of our ports being fit for the vessels of all other nations; and may not extend to merchant vessels, but not to those of war.

The subjects of the two contracting parties shall be under the protection of the prince, and under the command of

the chief of the place where they may be, and no other person shall have authority over them.—If the commandant of the place does not demean himself according to justice, representations concerning the same shall be made to us. In case the government shall have need of an American merchant vessel, it shall cause it to be freighted, and then a suitable freight shall be paid to the captain agreeable to the intention of the government, and the captain shall not refuse the same.

Art. 13. If among the crews of merchant vessels of the United States, there shall be found subjects of our enemies, they shall not be made slaves, on condition, that they do not exceed a third of the crew; and when they do exceed a third they shall be made slaves: The present article only concerns the sailors, and not the passengers, who shall not be in any manner molested.

Art. 14. A Tunisian merchant who may go to America with a vessel of any nation whatsoever, laden with merchandise, being the productions of the kingdom of Tunis shall pay duty (small as it may be) like the merchants of other nations; and the American merchants shall equally pay, for the merchandise of their country, which they shall bring to Tunis under their flag, the same duty which the Tunisian shall pay in America. But if an American merchant or a merchant of any other nation shall import merchandise of America, under any other flag, he shall pay a duty of ten per cent; in like manner, if a foreign merchant shall import merchandise of his country under the American flag, he shall also pay ten per cent.

Art. 15. It shall be free to the citizens of the United States, to carry on what commerce they please in the kingdom of Tunis, without any opposition, and they shall be treated like the merchants of other nations, but they shall not carry on commerce in wine, nor in prohibited articles; and if any one shall be detected in a contraband trade, he shall be punished according to the laws of the country. The commanders of ports and castles shall take care that the captains and sailors shall not load prohibited articles; but if this should happen, those who shall not have contributed to the smuggling shall not be molested nor searched, no more than the vessel and cargo; but only the offender, who shall be demanded to be punished. No captain shall be obliged to receive merchandise on board of his vessel, nor to unload the same, against his will until his freight shall be paid.

Art. 16. The merchant vessels of the United States, which shall call anchor in the road of Goulette, or any other port of the kingdom of Tunis, shall be obliged to pay the same anchorage for entry and departure, which French vessels pay, to wit, seventeen piastras and an half, money of Tunis for entry, if they import merchandise, and the same for departure, if they take away a cargo; but they shall not be obliged to pay anchorage, if they arrive in ballast and depart in the same manner.

Art. 17. Each of the contracting parties shall be at liberty to establish a consul in the dependences of the other; and if such Consul does not act in conformity with the usages of the country, like others, the government of the place shall inform his government of it, to the end that he may be changed and replaced: but he shall enjoy as well for himself as his family, and wife, the protection of the Government; and he may import for his own use all his provisions and furniture, without paying any duty; and if he shall import merchandise (which shall be lawful for him to do) he shall pay duty for it.

Art. 18. If the subjects or citizens of either of the contracting parties, being within the possessions of the other, contract debts or enter into obligations neither the Consul nor the nation, nor any subjects or citizens thereof, shall be in any manner responsible, except they or the Consul shall have previously become bound in writing, and without this obligation in writing, they cannot be called upon for indemnity or satisfaction.

Art. 19. In case of a citizen or subject of either of the contracting parties dying within the possessions of the other, the consul or the vekil shall take possession of his effects (if he does not leave a will) of which he shall make an inventory: and the government of the place shall have nothing to do therewith: and if there shall be no consul, the effects shall be deposited

in the hands of a confidential person of the place, taking an inventory of the whole, that they may eventually be delivered to those to whom they of right belong.

Art. 20. The consul shall be the judge in all disputes between all other persons who may be immediately under his protection; and in all cases wherein he shall require the assistance of the government where he resides to sanction his decisions, it shall be granted to him.

Art. 21. If a citizen or subject of one of the parties shall kill, wound or strike a citizen or subject of the other, justice shall be done according to the laws of the country where the offence shall be committed: The consul shall be present at the trial; but if an offender shall escape, the consul shall be in no manner responsible for it.

Art. 22. If a dispute or law suit, or commercial or other civil matter, shall happen, the trial shall be had in the presence of the consul, or of a confidential person of his choice, who shall represent him, and endeavor to accommodate the difference, which may have happened between the citizens or subjects of the two nations.

Art. 23. If any difference or dispute shall take place concerning the infraction of any article of the present treaty, on either side, peace and good harmony shall not be interrupted, until a friendly application shall have been made for satisfaction; and resort shall not be had to arms; thereafter, except where such application shall have been rejected; and if war be then declared, the term of one year shall be allowed to the citizens or subjects of the contracting parties, to arrange their affairs and to withdraw themselves with their property.

The agreements and terms above concluded by the two contracting parties, shall be punctually observed, with the will of the most high; and for the maintenance and exact observance of the said agreements, we have caused their contents to be here transcribed, in the month of Rebia Elul of the Hegira one thousand two hundred and twelve, corresponding with the month of August, of the Christian year one thousand seven hundred and ninety-seven.

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Soliman's signature signature
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(L. S.) Whereas, the President of the U. S. States of America, by his letter patent under his signature and the Seal of State, dated the eighteenth day of Dec. 1798, vested Richard O'Brien, William Eaton and James Leander Cathcart, (Richard O'Brien being absent) have concluded on and entered in the foregoing treaty certain alterations in the eleventh, twelfth, and fourteenth articles, and do agree to said treaty with said alterations: reserving the same nevertheless for the final ratification of the President of the United States by and with the advice and consent of the Senate: In testimony whereof we annex our names and the consular seal of the United States. Done in Tunis the twenty-fifth day of March in the year of the Christian Era, one thousand seven hundred and ninety-nine, and of American Independence the twenty-third.

(Signed)

WILLIAM EATON.
JAMES LEAR. CATCHCART.

NOW be it known, That I John Adams, president of the United States aforesaid, having seen and considered the said treaty, do by and with the advice and consent of the Senate thereof accept, ratify and confirm the same, and every article and clause thereof as set forth in this instrument of ratification.

L. S.) IN testimony whereof I the said JOHN ADAMS, president of the United States, have caused the said Seal to be hereto affixed, and signed the same with my hand: Done at the city of Philadelphia this tenth day of January in the year of the independence of the said states the twenty-fourth.

JOHN ADAMS.

By the president,

TIMOTHY PICKERING.
Secretary of State.

Congress of the United States.

HOUSE OF REPRESENTATIVES.

February 21.

Mr. Livingston, in consequence of a reference of the message of the president on the case of Thomas Nash, otherwise Jonathan Robbins, to a committee of the whole house, and as another resolution proposed by Mr. Bayard, thereupon, had been disposed of, the amount of which resolution was an approbation of the conduct of the executive in his proceeding on that subject, proposed the following resolution:

RESOLVED, That it appears to the house, that a person calling himself Jonathan Robbins, and claiming to be a citizen of the United States, impreserved on board a British ship of war, was committed for trial in one of the courts of the United States, for the alleged crime of piracy and murder, committed on the high seas, on board the British frigate *Hermione*. That a requisition being subsequent to such commitment, made by the British minister to the executive of the United States, for the delivery of the said person (under the name of Thomas Nash) as a fugitive, under the fifth article of the treaty with Great Britain, the president of the United States did, by a letter written from the department of state, to the judge who committed said person for trial, officially, declare his opinion to the said judge that he "considered an offence committed on board a public ship of war, on the high seas, to have been committed within the jurisdiction of the nation to whom he belongs," and in consequence of such opinion and instruction, did advise and request the said judge to deliver up the person so claimed, to the agent of Great Britain, who should appear to receive him, provided only that the stipulated evidence of his criminality should be produced. That in compliance with such advice and request of the president of the United States, the said person so committed for trial, was by the judge of the district of South Carolina, without any presentment or trial by jury, or any investigation of his claim to be a citizen of the United States, delivered up to an officer of his Britannic majesty, and afterwards tried by a court-martial, and afterwards tried by a court-martial, and executed on a charge of mutiny and murder.

RESOLVED, That insomuch as the constitution of the United States declares that the judiciary power shall extend to all questions arising under the constitution, laws and treaties of the United States, and to all cases of admiralty and maritime jurisdiction, and also that the trial of crimes (except in cases of impeachment) shall be by jury; and such trial shall be held in the state where such crime shall have been committed, but when not committed in any state, then at such place or places as congress may by law have directed; and insomuch as it is directed by law, that the offence of murder, committed on the high seas, shall be deemed piracy and murder, and that "the trial of all crimes committed on the high seas, or in any place out of the jurisdiction of any particular state, shall be in the district where the offender is apprehended, or in which he may be first brought."—Therefore the several questions, Whether the adjudged crime of piracy and murder was committed within the exclusive jurisdiction of Great Britain? Whether it comes within the purview of the said twenty-seventh article; and whether a person stating that he was an American citizen, and had committed the act of which he was accused, in attempting to regain his liberty from illegal imprisonment, ought to be delivered up, without any investigation of his claim to citizenship, or inquiry into the facts alleged in his defence—are all matters exclusively of judicial enquiry, as arising from treaties, laws, constitutional provisions, and cases of admiralty, and maritime jurisdiction.

That the decision of those questions by the president of the United States, against the jurisdiction of the courts of the United States, in a case where those courts had already assumed and exercised jurisdiction; and his advice and request to the judge of the district court, that the person thus charged should be delivered

up, provided only, such evidence of his criminality should be produced as would justify his apprehension and commitment for trial, are a dangerous interference of the executive with judicial advice; and request on the part of the judge of the district court of South Carolina, is a sacrifice of the constitutional independence of the judicial power, and exposes the administration thereof to suspicion and reproach.

The question of reference to a committee of the whole house, was taken and carried—Ayes 55.

A message was received from the president of the United States, informing the house that he had this day approved and signed "An act to suspend in part, an act to augment the army of the United States, and for other purposes."

European Intelligence.

Spain.

MADRID, October 29.

His Catholic Majesty has made a requisition of 30 millions of reals from his Clergy in Europe and 35 millions of reals from that of America, without any form or previous condition whatever. The deputies from the clergy, who had nearly finished their deliberations, on the voluntary donations have been remanded to the respective parishes. It was supposed that the King had received a secret intimation that the voluntary donation resolved upon, would be far below his expectations, wherefore it was thought advisable to dissolve their meetings.

Ireland.

CORK, November 14.

SCARCITY IN IRELAND.

By a proclamation of his excellency, the lord lieutenant and privy council, the shipping and export of potatoes, corn or grain, ground or unground, meal, malt, flour, bread, biscuit, starch, and hair powder, are strictly prohibited until the 20th September, 1800—and a bounty of 10s per barrel on the first 40,000, and 5s on the next 20,000, barrels of wheat, is offered on the import from foreign countries, and sold in market. The free import of all corn, from all duties, is also directed by the same.

A proclamation of the same date, Nov. 11, prohibits the making or vending any species of bread, except household or brown bread, and strictly forbids the making or sale of any bread within this kingdom, whether under the title of bread, cakes, rolls or muffins, or any other denomination of a finer quality, higher price, or lower size, than common household bread, until further orders.

American Intelligence.

Pennsylvania.

PHILADELPHIA, February 20.

The British government has received official accounts from the East-Indies, of the new division of the Mysore country. It is separated into three parts.—That which was usurped by Hyder Ali, is assigned to the defendant of the old Hindoo family, who had been kept in confinement by the late Tipoo Sultan. The fidelity of the Nizam to the interests of the East-India company, is rewarded by a considerable portion of territory, part of that which had been added to the Mysore, by the ambition of the two last sovereigns. The company retain Serengapatam & Mangalore. This partition has been ratified by the Nizam, and appears to be no ways disagreeable to the inhabitants who thus change masters. The new sovereign of the Mysore has been installed.

New-Jersey.

ELIZABEHTHOWN, Feb. 25.

Extract of a letter from London, dated Dec. 2. to a gentleman in this town.

"The oppressions of the old country are still encroaching. A formidable expedition to Holland, composed of the flower of English troops, acting in concert with savage Russians, attended with immense expense, has failed. We took a full of the time, with some other ships from the Texel, and a poor compensation for the loss of 10,000 soldiers British only; and at last obliged to purchase permission from the enemy to leave the country entirely, unmastered. Our officers have suffered in an unprecedented manner from the Dutch riflemen, or sharp shooters, who used to mark them out during an engagement."

The fleet is retained in the name of the stockholder, who eats and sleeps his life away amidst the luxuries of London."

has been exhibited from that quarter at any time heretofore." K. Herald.

The public are cautioned against receiving American counterfeit Dollars at present in circulation—the mailing is very badly executed, but in other respects difficult to detect; they are altogether we believe made of pewter and may be discovered by ringing them.

[N. York D. A.

NO EASTERN MAIL.

NEARLY READY FOR THE PRESS; A GENERAL INSTRUCTOR;

CONTAINED
The duty of a JUDGE OF THE PEACE, SHERIFF,
CORONER AND CONSTABLE,

In the State of

KENTUCKY.

Together with precedents suited to every case that can possibly arise in either of those offices, under the laws now in force, with references to the laws of other states.

From a view of the materials now before us, it is expected that the work will extend to about 320 pages, and it does not exceed that number, can be offered for two dollars a copy, in boards. As soon as the price can be ascertained, subscription papers will be circulated throughout the states, and the price will be fixed at 150 or five hundred copies are sufficient for.

It is unnecessary to say anything on the utility of a work of this kind, as the want thereof is generally felt by a large proportion of the magistrates in the state, and nothing of the kind within their power to procure.

Paris Paper

FOREIGN—SUMMARILY.

The advices by the Tanner, are to the 23d December, at which date the ship failed from Gravendene: she paddled the down on the 16th.

We understand from the best information which can be collected, that the late revolution at Paris affords no prospect of peace in Europe. On the contrary, another campaign is expected—and it is believed that the Danes and Swedes will also come into the coalition against France.

The retreat of the Russians into Bavaria, is supposed to be only a temporary arrangement to pass the winter, in a plentiful country—and that with the opening of the campaign, they will march to join the Austrians on the Rhine.

Switzerland, it is supposed will be declared neutral—and in consequence, the offensive operations of the next year, directed to the countries on the bank of the Rhine—to the low countries—and to Italy.

By the latest accounts from Paris, everything was quiet in that city. A plan of a new constitution has been proposed—but nothing yet decided on. Every exertion was making to raise money—and to recruit the armies.

The consuls were pursuing a moderate system of government: several odious decrees of the late directory have been done away, and many emigrants permitted to return.

The combined French and Spanish fleets lay in Brest harbour—off which port an English fleet of 20 sail of the line under admiral Gardner, was cruising to observe them.

The Harveil in England has not turned out to be as bad as was expected, and the prices of grain had declined considerably.

Lexington, March 27.

Extract of a letter from Philadelphia, dated February 21.

"The news-papers will furnish you with the general occurrences of a public nature. You will readily observe that a majority of the present Congress are composed of members in favour of the late measures of government. Attempts to repeal odious laws which have passed at former sessions, are in vain; and equally vain to propose any change of principles during the Congress, except a treaty should be made with the French Republic. Communications from the Commissioners delegated for this purpose, is shortly expected: until the result of their mission is known, we shall do but little in our legislative capacity; however we have had some subjects of importance under discussion, which have gone through very lengthy and animated arguments, on the reduction of the standing army, and revision of the law prohibiting commercial intercourse with France and its dependencies. The affair of Randolph's letter to the President produced much warmth in the debate, and will show you the state of parties. The commercial intercourse with France passed yesterday. The bankrupt law will be under discussion to day. The affair of Jonathan Robbins will be next in turn: these two subjects will take up several days. A bill is now under consideration in the senate, and which I have no doubt will pass through that branch of the legislature, calculated to do much mischief, and finally to set aside the Constitution so far as relates to the election of the president. It proposes that each house of Congress shall by ballot elect six members who shall compose a committee, with the Chief Judge of the United States their chairman, for the purposes of examining and deciding on all contested elections, and with closed doors shall examine all the returns, and determine on the legality of any of the state proceedings as respects their mode of appointing electors. I think this the most alarming feature which

Wm. Macbean, Clerk.

A meeting of the Directors of the Vineyard Society, in Lexington, 22d March, 1801.

Resolved, That each subscriber to the Vineyard Society, shall pay the payment of three fifths of each acre subcribed for, (which is fifty dollars,) the date of payment to be the 1st of April next, and fifteen dollars on or before the 1st of April next—and fifteen dollars on or before the 1st of May following.

Resolved, That Culbert Banks be appointed collector for the ensuing year, to collect and receive full sum, as they become due on each acre; and on failure of payment, to bring suit against all delinquents, when indebted to pay the same into the hands of the treasurer.

Extract from the Minutes.

George Neal.

I HEREBY fore warn any and every person or persons from taking an engagement on a bond given by Richard Higgins to William Dawson, for three thousand dollars, for the purchase of 3000 acres of land, made for Charles Barnborough, on the waters of Tradewell: and I also caution said Higgins against making a title to said Dawson or his assigns, for any part thereof, until I receive the amount of a judgment which I obtained against said Dawson, in the court of quarter-sessions of Fayette county, which execution was stayed until the 1st of May next, in consequence of his giving me full land in security.

*31. George Neal.

Jefferson county, March 17, 1800.

NOTICE

I hereby give to all persons concerned, that agreeable to an order of the county court of Macon, commissioners will attend on the third Monday in May next, being the 10th of the month, at the house of James Mackoy, living in said county, and will proceed from thence to the upper corner on the bank of the Ohio, of an entry made on the 23d day of May, 1780 in the name of James Speed for 3200 acres of land, there to take depositions to perpetuate testimony respecting the special calls of the said entry, and to do such other acts as may be deemed necessary and agreeable to law, under an act of assembly, in such case made and provided.

James Mackoy.

February, 24th, 1800.

Mrs. WALSH'S SCHOOL

FOR the instruction of little girls in reading and needle work, will commence on the 1st of April next.

Lexington, March 20, 1800.

NOTICE

THAT on the first Monday of April next, a public examination of the students of the Transylvania University will commence at ten o'clock, and continue until all in the several departments shall have passed examination.

The citizens are also informed that the students of the University (in number about fifty) will exhibit on the Thursday following, beginning at ten o'clock.

March 16, 1800.

NOTICE

TAKEN up by the subscriber on Boons Creek, a brown mare, about thirteen and a half hands high, nine or ten years old, some white on the hind parts of her left hind foot, has the appearance of a gelding on the near buttock but not legible, appraised to 100.

Hubbard Taylor.

Clarke county, Oct. 11th 1799.

WINCHESTERS, DIALOGUES ON

UNIVERSAL RESTORATION,

For sale at this Office, Price 3s.

NOTICE TO DEBTORS.

THOSE indebted to the subscriber are once more requested to discharge their respective accounts. Those who neglect to comply with this notice previous to the 20th of next month, are informed that suits will be commenced against them without discrimination.

Robert Barr.

March 12, 1800.

WANTED.

A N apprentice to the Tanning Business, a lad about 17 years of age, well grown, who can come well recommended—no other need apply.

Jonas Brinport.

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Jeffamine county, March 14th, 1800.

MONTGOMERY COUNTY.

February court of quarter sessions, 1800.

William Nelson, complainant,

vs.

Mark Lacy, Oliver Badger, John Steel, and Jacobus Cooper, defendants, IN CHANCERY.

THE defendants Badger, Steel and Cooper not having entered their appearance agreeably to law and the rules of this court; and it appearing to the satisfaction of the court that they are not inhabitants of this commonwealth—on the motion of the complainant by his counsel, it is ordered that the said defendants do appear here on the second Tuesday in June next, and answer the complainant's bill—and that a copy of this order be forthwith inserted in the Kentucky Gazette, for two months successively, and published at the door of the court-house of this county, and also at the door of some meeting house in the neighborhood of the town of Mountiering.

A copy, Teste,

M. Harrison, C. M. C. Q. S.

WOODFORD COUNTY.

March Court of Quarter Sessions, 1800.

James Wason, complainant,

AGAINST

Jons Bowles, Samuel Baird, James Baird, and William Baird, and James M'Brude and Henry of Bride, heirs at law of James M'Brude, dec. defendants,

IN CHANCERY,

THE defendants Samuel Baird, James Baird, & William Baird, and James M'Brude and Henry M'Brude, not having entered their appearance and given security according to act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that they are not inhabitants of this state; on motion of the complainant by his attorney, it is ordered, that the said defendants do appear here on the first Monday in July next, and answer the bill of the complainant; and that a copy of this order be forthwith inserted in the Kentucky Gazette for two months successively, and published at the door of Clear creek meeting house, on some Sunday immediately after divine service, and at the door of the Court house in the town of Veville.

A copy, Teste,

T. Turpin, Clerk.

To all whom it may concern.

NOTICE.

IS hereby given, that the commissioners appointed by the county court of Montgomery, under the act of assembly entitled "an act to ascertain the boundaries land, and for other purposes," will meet the 3d day of April next, if fair, if not, the next fair day, at the beginning of an entry of Thomas Miller's, of 2000 acres, beginning at James Dupuy's beginning of 4500 acres, on the war road, running north to far as 566 poles, thence from the end of this line east, at right angles for quantity, which entry begins at John Dupuy's beginning of an entry of 5054 and an half acres on the Indian war road, between Hinkton's fork and the main fork of Licking creek, at a small creek nearly east of Thomas Brooks's entry of 3231 acres—and thence proceed to the beginning of Thomas Brooks's entry of 3231 acres, on a treasury warrant, on the ridge between Hinkton's fork and main Licking, about 12 or 15 miles south-west of the upper salt spring, including some of the waters of both forks, beginning at a pond on the ridge, and running south-west 720 poles, thence north-east 720 poles, thence to the beginning: on the south-west corner of the said entry, James Trabue's entry of 5165 and an half acres depends—to take depositions of witnesses, in order to perpetuate testimony, and to do what may be necessary and agreeable to law. The commissioners will adjourn from place to place, and from day to day, until the business is finished.

Thomas Miller,

March 12, 1800.

James Trabue.

STRAYED AWAY.
FROM Capt. William Allen's, about two miles from Lexington, about the 4th or 5th of February.

A BAY MARE,

about fourteen hands three inches high, about fifteen years old, both hind feet white, and is with foal-branded on the near shoulder (as well as I recollect) AP, trots and paces, fled before, switch tail. Whoever delivers said mare to Capt. William Allen, from whence she was fired, shall have THREE DOLLARS REWARD, and reasonable charges.

George Elliott.

March 17, 1800.

131

WILL BE EXPOSED TO SALE,

BY PUBLIC VENDUE,
ON Thursday the 17th day of April next, at the late dwelling house of Robert Parker, dec'd. on South Elkhorn, part of the octagonal estate of the deceased, consisting of Horses, Cattle, Sheep, Hogs, Farming Utensils, &c. A considerable credit will be given, and the terms of sale made known on that day.

T. B. Executors.

March 27th, 1800.

31

BY LAST EVENING'S MAIL.

Congress of the United States.

HOUSE OF REPRESENTATIVES.

Tuesday, February 25.

Mr. Livingston then called for the order of the day on the message of the president relative to the delivery up of Thomas Nash, alias Jonathan Robbins, and the house having resolved itself into a committee of the whole on that subject.

Mr. Edmon in the chair.

Two resolutions having been heretofore referred to the committee (Mr. Bayard's and Mr. Livingston's) a debate arose upon the point of order which should be first taken up—when

Mr. Sedgwick (Speaker) moved, that the resolutions of the honorable gentlemen from New-York be first taken into consideration, which was carried,

Yea 48. Nays 32.

Mr. Livingston's resolutions having been read.

Mr. Livingston rose, and after expressing a wish that a candid and impartial enquiry and decision should take place, upon so serious a question, which involved merit or censure, upon the conduct of a public officer, proceeded to the examination of evidence: Having begun to read a printed deposition of Jonathan Robbins, from a newspaper, wherein he swears he is an American, was born in Danbury, State of Connecticut, was impressed from on board an American vessel, by the British frigate Hermione, &c.

Mr. Bayard rose, and objected to the reading of the paper, upon the ground, that it could not be received as evidence by the committee—this objection caused a long debate as to the point of order, in which Mr. Livingston said, he did not wish to introduce it as evidence—he did not believe a word contained in it, and thought it defensible for Robbins to assert that trial and punishment which awaited him—Mr. Livingston said, his only object was, to prove, that Robbins had said, he was an American citizen, was impressed, &c.

The chairman at length decided, that the gentleman could not be permitted to read the paper.

Mr. Gallatin appealed to the committee and upon the question, will the committee adhere to the decision of their chairman, it passed in the negative.

Ayes 37. Nays 43.

The committee thereupon, reported progress, and obtained leave to fit again.

Senate.

February 25.

COMMITTEE OF PRIVILEGES.

Mr. Dayton called up a resolution he laid on the table the preceding day, to the following effect:

Resolved that a standing committee of privileges, of persons be appointed.

Mr. Malon observed, that this resolution presents a new idea to him, he did not comprehend what was its object or use. The government had been ten or twelve years in operation, and had been found to go on very well without this new committee.

Mr. Dayton said that in all public bodies he had sat in, such committees were common; he did not know that there was any particular case in view at present: the general fitness of the measure, was what he calculated upon.

Mr. Malon remembered there was kind of standing committee left sitting, which had been called the war committee or committee of defence; they were standing committee indeed, for they contrived to continue themselves by reporting in part, through the session. Why this new inquisitorial court was to be set

up, he did not know, it was contrary to past practice, and appeared to him a very injurious measure.

Mr. Pinckney did not see the necessity or utility of such a committee, the privileges of the house were well known, the members were exempted from arrest in certain cases, they could expel members, and for any treasuries committed in their chamber, they might possibly punish, but further he did not think the powers of the senate extended than their own chamber. Because every citizen by the constitution, were entitled to a trial by jury. He had heard of the undefined privileges of the English parliament, but he hoped such was not pretended to be introduced here; there those privileges sprung from the common law; here privilege means a different thing. He was adverse to it.

Mr. Marshall was in favor of the motion, though he confessed he did not see any present object in it.

The privileges of the members were defined in article I, sec. 6, of the constitution.

Mr. Nicholas said he considered the motion as changing the practice of the senate, which he did not approve, he did not know of any other body having such a committee. There were indeed the committee of claims, &c. which were standing committees, but the privileges of the members had not yet been disputed in that house; when they should, then it would be time enough to appoint such a body.

Mr. Mason said the more he considered this measure, the more he disliked it; it appeared to him designed for a kind of court, to go in search of objects for investigation, there was already too much of that—he should oppose it unless some cause could be given for instituting it—Yea and Nay was called, Yea 22, Nays 7.

The committee was then balloted for, and the following members were chosen: Mess. Dayton, Tracey, Lattimer, Chapman and Brown.

February 26.

A motion was made that it be

Resolved, That the committee of privileges be, and they are hereby directed to enquire who is the Editor of the newspaper printed in the city of Philadelphia, called the General Advertiser, or Aurora, and by what means the Editor became possessed of the copy of a bill prescribing the mode of deciding disputed elections of President and Vice-President of the United States, which was printed in the aforesaid newspaper, published Wednesday morning, the 12th of February last, and by what authority he published the same; and by what authority the Editor published in the same paper, that the hon. Mr. Livingston, a Senator from South Carolina, and a member of the committee who brought before the Senate the bill aforesaid, had never been consulted on the subject; and generally to enquire the origin and history alterations in the same paper, respecting the Senate of the United States and the members thereof in their official capacity, and why the same were published, and make report to the Senate; and that the said committee have power to demand persons, papers and records, relating to the subject committed to them.

February 27.

Mr. Livingston's resolution was read.

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SACRED TO THE MUSES.

THE MEDICINE.

A TALE—for the Ladies.

MISS MOLLY, a fair'deaf, was fair and young
Had wealth and charms—but then she had a tongue!
From morn to night th' eternal larum rung,
Which often lost thos' hearts her eyes had won.

Sir John was smitten, and confess'd his flame,
Sigh'd out the usual time, then wist the dame;
Poff'd he thought of ev'ry joy of life;
But his dear Molly proved a very wife.
Excell'd of fondness did in time decline,
Madame lov'd money, and the knight lov'd wind.
From whence some pifey discord would arise,
As, "you're a fool!"—and, "you are mighty wife!"

Though he and all the world allow'd her wifey;
Her voice was shrill, and rather loud than sweet;
When she began, for hat and wifey he call,
Then after a faint kif—cry, b'y, dear Moll;
Sapper and friends expect me at the Rose,
And, what Sir John, you'll get your usual dole!
Go think of finery, and guzze many wife;
Sure never virtuous love was w'd like mine!

Oft as the watchful bell-man march'd his round;
At a fresh bottle, say Sir John he found.
By four, the knight would get his busines done,
And only then reall'd off, because alone;
Full well he knew the dreadful storm to come,
But arm'd with Bourdeaux, he durst venture home.

My lady with her tongue was full prepar'd,
She rattled loud, and he impatient heard;
"Tis a fine hour! in a sweet pickle made!
And this, Sir John, is ev'ry day the trade.
Here I sit moping all the live-long night,
Devour'd with spleen, and stranger to delight;
Till more fends flagg'ren home a drunken beast,
Resolv'd to break my heart as well as refl.

Hey! hoor! d'y hear, my d-n'd obstre'r'ous spouse,
What I can't find one bed about the house?
Will that perpetual clack ly never still?
That rival to the foltwes of a mill!

Some couch and distant room must be my choice,
Where I may sleep, uncury'd with wife and noise.

Long this uncomfortable life they led,
With sharring meals, and each a sep'r'ate bed.
To an old uncle of the wold complain,
Beg his advice, and scarce from tears refrain.
Old Wifeword smok'd the master as it was,
Cheer up, cry'd he, and I'll remove the cause.

A wond'rous spring within my garden flows,
Of for'reign virtue, chiefly to compose
Domestic jars, and matrimonial strife;
The best elixir t' appear man and wife;
Strange are th' effects, the quality divine,
"Tis water call'd but worth its weight in wine.
If in his fullen ays Sir John shold com,
Three spoonfuls take, hold in your mouth, then moun:
Smile and look pleasd', when his shall rage and feod,
Still in your mouth the healing cordial holds;
One month this sympathetic med'cine try'd,
He'll grow a lover, you a happy bride.
But, dearest niece, keep this grand secre't close,
Or ev'ry prattling hussy'll beg a do'e.

A water bottle's brought for her relief;
Not Nance could souner ease the lady's grief:
Her busy thoughts are on the trial bent,
And, female-like, impatient for th' event!

The bonny knight relis home exceeding clear,
Prepared for clamar and dometic war:
Ent'ring, he cries—Hey! where's our thunder fled?
No hurricane! Betty! your lady dead?
Madam, safe, an ample mouthful takes,
Court'ies, looks kind, but not a word she speaks:
Wond'ring, in flar'd, scarcely his eyes believ'd,
But found his ears agreeably deceiv'd.
Why, look now, Molly, what's the crochett now?
She smiles, and unfers only with a bow.
Then clapping her about—why, let me die!
These night clothes, Molly, become the mighty!
With that he fighed, her hand began to press,
And Betty calls her lady un'ders.
Nay, like me, Molly—for I'm much inclin'd:
Her late the cuts, to take him in the mind.
Thus the fond pair to bed enamor'd went,
The lady pleasd', and the good knight content.

For many days these fond endearments past,
The reconciling bottle fails at last;
'Twas us'd and gone—then midnight storms arose,
And looks and words the union discompos'd.
Her coach is order'd, and past-halfe the flies,
To beg her uncle for some fresh supplies,
Transported, does the strange effects relate,
Her knight's conversion, and her happy fate;

Why, niece, says he—I pr'ythee apprehend,
The water's water—be thyself my friend;
Such beauty would the coldest husband warm,
But your provoking tongue undoes the charm:
Be silent and complying—you'll soon find,
Sir John, without a med'cine will be kind.

ANECDOTE.

Two Oxford scholars meeting on the road with a Yorkshire offer, they fell to bantering him, and told the fellow that they would prove him to be an *lorgé* or *an ass*.—Well, said the offer, and I can prove your faddle to be a *mile*. A mile I cried one of them, how can that be? Because, said the offer, it is something between an horse and an ass.

TANNING AND CURRYING.

WANTED immediately two active BOYS, as apprentices to the above branches, from the age of 14 to 19 years old.

Philip Teeter, Danville.

LEXINGTON DISTRICT COURT.

February Term 1790.
Christopher Greenup and Francis Kene, Complainants,
against
Joseph Frazer and Simon Kenton, Defendants,

In Chancery.

THE defendant Kenton, having failed to enter his appearance herein agreeable to law, and the rules of this court, and it appearing to our satisfaction that he is not an inhabitant of this Commonwealth, on the motion of the complainants by themselves, it is ordered that the said Kenton do pay the costs of the service of this process and answer the complainants bill; that a copy of this order be entered in the Kentucky Gazette or Herald according to law, another posted at the door of the courthouse for Fayette county, and that this order be published on four days to come immediately after delivery of the same to the Presbytery meeting house in Lexington.

A Copy. Telle,
That, Bodley, C. L. D. C.

KENTUCKY.

Ohio county, to wit.

February count of quarter sessions, 1800.

Sam'l McGrath, complainant,
against
The heirs of John May and John Harvey, defendants.

In a Caveat.

THE defendants John May's heirs, and John Harvey's, not having entered their appearance herein agreeable to law, the rules of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this Commonwealth, on the motion of the complainant, it is ordered that the said defendants do appear here on Friday next, February 10, and answer the complaint in the cause of Sam'l McGrath, for the sum of one hundred dollars, and published at the door of John Atherton's house some Sunday immediately after divine service, and a copy set up at the door of the court-house in this county.

A Copy. Telle,
Aquilla Field, c. o. c.

I HAVE just arrived from Philadelphia with a very large and general aforment of

MERCHANDIZE,

In addition to those remaining on hand.

From the terms on which those GOODS were laid in, they can be sold on as low, (if not on lower terms) than any ever imported into this state.

For sale also, a general assortment of
LAW, HISTORY, DIVINITY,
AND SCHOOL BOOKS.

WRITING PAPER of the best quality,
with WAFERS, QUILLS, SLATES
and SLATE PENCILS.

An elegant

COACHEE

WITH PLATED HARNESS, also for sale
WILLIAM LEARY.

Lexington, Dec. 27, 1799.

CHEAP GOODS.

SAMUEL & GEORGE TROTTER,
Have just received from Philadelphia,
A LARGE AND GENERAL ASSORTMENT OF
MERCHANDIZE,

CONSISTING OF
Dry Goods, Hardware, Groceries,
Glass, China and Queens-ware,
Bar Iron, Steel, Sc. &c.
which for CASH IN HAND, they offer for sale on
the most reasonable terms.

Lexington, December 23d, 1799.

JOHN CLAY,
HAS JUST RECEIVED AND IS NOW OFFERING, A HANDSOME
ASORTMENT OF
MERCHANDIZE,

IN the house formerly occupied by Mr. Robert Barr, opposite Mr. Samuel and George Trotter's, which will sell in low terms for Craft or Country Produce, viz. Tobacco, Hemp, and Good Clean Wheat, &c. &c. in Wools, &c. He will purchase BEES-WAX & TALLOW,
For which he will give one half Cash

Lexington, December 3d, 1799.

WANTED IMMEDIATELY,
A QUANTITY OF
BARLEY & HOPS.

Apply at George Anderson's store, or A. Holmes's
brewery.

Lexington, September 23d, 1799.

PUBLIC NOTICE.

THAT I carry on the Stocking Manufactory in all its various branches, and will make the best kind of Thread, Cotton and Silk stockings. Any gentlman that pleafe to favor me with their custom, shall have the greatest attention given by me, living at Michael Kooker's, dorsers, on Mill creek, Harrington county.

Jacob Trager.

LAWSON McCULLOUGH,
TAYLOR.

TALES of this method of informing his friends and customers, that he has rented a room on Main Street up State, in the house where Mr. Robert Barr formerly lived, two doors below Mess'r Trotter & Scott's, Boys, where he carries on his business, those who please to call on him, will find with their customer may depend on having their work done with dispatch, neatness and punctuality.

At Lexington November 21st, 1799.

THE SUBSCRIBER

WILL GIVE SALT AND CASH

For a few thousand weight of

GOOD PORK.

T. HART.

GINSENG.

WANTED to purchase a few thousand pounds
of clean, dry and well picked GINSENG.—
Apply at the store of

John Jordan jun.

Who has for sale several valuable tracts of LAND,
in this state—all in the Territory West of the Ohio.

Lexington, 24 February, 1800.

TO RENT,

And possession given immediately,
THAT excellent land at the corner of

Main and Craig streets, Lexington, known by the name of the old court house. The house is two story, with two rooms on each floor, 18 feet square, with a fire-place in each; also two good dry cellars, 18 feet square. For terms apply to the printer hereof.

TAKEN up by the subscriber, living
on Green river, in Green county, one black mare, about fourteen hands
one inch high, about eight years old, with a small star in her forehead, a part of her near hind foot white, a small saddle spot on the off side, had on about a three shilling bell, appraised to thirteen pounds.

Also a forel horse about three years old, about fourteen hands high, with a blaze face, his near hind foot white, branded with a stirrup iron, appraised to 50 dollars. The above horses were pofted and appraised the seventh of Jan. 1800.

*

John Layman.

March 4th, 1800.

ALL persons are hereby cautioned not to purchase all or any part of 5000 acres of land, from George Mathews, or any person authorized by him to sell the same, which land was conveyed to Mathews, about the first of October last; as the said Sampson Mathews had formerly sold the same land to Alexander Nelson of August county Virginia, and empowered John Allen of Shelbyville (Kentucky) to convey the said land to said Alexander Nelson. The land sold to said Nelson by said Sampson Mathews was 2000 acres, the lower end of 5000 acres, located for James Harris, near Green Courthouse—2000 acres surveyed for said Sampson Mathews, on said Pitman's creek, and includes a part of Killpatrick's mill tract—& one half of 2000 acres located and surveyed for said Sampson Mathews, in Shelby county Kentucky. The above land made to said Nelson by said Sampson Mathews, was known to the said George Mathews and his agent in Virginia, (Samuel Blackburn) before the purchase was made by said George Mathews or his agent, or conveyance made to him.

ALEXANDER NELSON.

At 4* 6†.

READY FOR THE PRESS,

And will be published as soon as a sufficient number
of subscribers can be procured.

THE ADVENTURES AND VOYAGES

OF THE

FRENCH EMIGRANTS,

In the course of the

REVOLUTION.

Translated from the French,

By a LADY.

This work, throwing a frank light upon some of
the events of the French revolution, and bearing
upon the character of truth, together
with the entertainment of a novel. Its utility
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At 4* 6†.

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At the moderate price of six dollars per quarter.
Not more than twenty five scholars will be admitted
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